

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

**FILED**

DEC 10 2015

Clerk, U.S. District Court  
District Of Montana  
Billings

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GENE ANDREW TUFTON,

Defendant.

CR 16-05-BLG-SPW-02

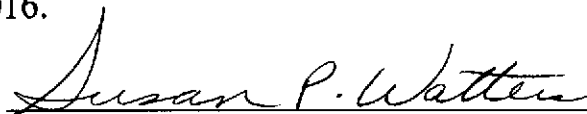
ORDER

Before this Court is Defendant Gene Andrew Tufton's Show Cause Motion. (Doc. 136). Since his arraignment on February 9, 2016, Tufton has elected to proceed with counsel. Despite having counsel, however, Tufton filed the current motion pro se. Through this pro se filing, Tufton engages in hybrid representation without first seeking this Court's permission. *See United States v. Klee*, 494 F.2d 394, 396-97 (9th Cir. 1974) (a criminal defendant does not have an absolute right to both self-representation and the assistance of counsel); *see also United States v. Daniels*, 572 F.2d 535, 540 (5th Cir. 1978) (whether to allow hybrid representation remains within the sound discretion of the trial judge). Under such circumstances, "[a] district court has no obligation to entertain pro se motions filed by a represented party." *Abdullah v. United States*, 240 F.3d 683, 686 (8th Cir. 2001).

This Court will not consider motions filed by Tufton personally and declines to consider the motion before the Court.

Accordingly, IT IS HEREBY ORDERED that Tufton's Show Cause Motion (Doc. 136) is DENIED in its entirety.

DATED this 15<sup>th</sup> day of December 2016.

  
SUSAN P. WATTERS  
United States District Judge